

AMENDED IN SENATE MARCH 27, 2006

SENATE BILL

No. 1527

Introduced by Senator Aanestad

February 23, 2006

~~An act to add Section 8612 to the Water Code, relating to flood control. An act to add Article 3.5 (commencing with Section 8650) to Chapter 3 of Part 4 of Division 5 of the Water Code, relating to flood control.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1527, as amended, Aanestad. ~~Flood control.~~ *Flood protection work: consolidated permits or approvals.*

Existing law requires permits or approvals from various agencies for flood protection work.

This bill would require the Secretary of the Resources Agency to convene those agencies with permit or approval authority over flood protection work for the purposes of coordinating and issuing unified, consolidated permits or approvals for each project for flood protection work funded by general obligation bonds or the General Fund.

~~Existing law establishes the 7-member Reclamation Board in the Department of Water Resources. Existing law authorizes the board to engage in various flood control activities along the Sacramento and San Joaquin rivers, their tributaries, and related areas. Existing law requires the board to establish and enforce standards for the maintenance and operation of levees, channels, and other flood control works. Existing law requires the board, for the purpose of adopting those standards, to give full consideration to fish and wildlife, recreation, and environmental factors.~~

~~The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve if it finds that it may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect.~~

~~CEQA authorizes the utilization of a master environmental impact report to evaluate the cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment of subsequent projects.~~

~~This bill would require the board to prepare a master environmental impact report in connection with routine operation or maintenance activities, and rehabilitation and repair activities, undertaken by the board or local agencies on behalf of the Sacramento River Flood Control Project.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Article 3.5 (commencing with Section 8650) is*
2 *added to Chapter 3 of Part 4 of Division 5 of the Water Code, to*
3 *read:*

4
5 *Article 3.5. Flood Protection Work Funded Through General*
6 *Obligation Bonds or General Fund Appropriation*

7
8 8650. As used in this article:

9 (a) “Consolidated permit or approval” means a permit or
10 approval incorporating the permit or approval conditions
11 pursuant to the program administered by each permitting or
12 approving agency into a single, unified permit or approval
13 document.

14 (b) “Permit or approval” means:

15 (1) A lake or streambed alteration agreement entered into
16 pursuant to Chapter 6 (commencing with Section 1600) of
17 Division 2 of the Fish and Game Code.

18 (2) An incidental take permit issued pursuant to Article 3
19 (commencing with Section 2080) of Chapter 1.5 of, or Chapter

1 10 (commencing with Section 2800) of, Division 3 of the Fish
2 and Game Code.

3 (3) Waste discharge requirements issued by a regional water
4 quality control board pursuant to Division 7 (commencing with
5 Section 13000).

6 (4) Any other permit or approval by a permitting or approving
7 agency that is part of a consolidated permit. A permit or
8 approval does not include a certification or decision pursuant to
9 Division 13 (commencing with Section 21000) of the Public
10 Resources Code.

11 (c) "Permitting or approving agency" means any of the
12 following:

13 (1) The Department of Fish and Game.

14 (2) A regional water quality control board.

15 (3) The local agency responsible for the administration of the
16 requirements imposed pursuant to Section 13370.5.

17 (4) A certified unified program agency as provided in Chapter
18 6.11 (commencing with Section 25404) of Division 20 of the
19 Health and Safety Code.

20 (5) Any other state, regional, or local permitting or approving
21 agency for the project that participates in a consolidated permit
22 or approval for flood protection work.

23 (d) "Secretary" means the Secretary of the Resources Agency.

24 8650.6. The secretary shall convene, in a duly noticed public
25 hearing, those agencies with permit or approval authority over
26 flood protection work for the purposes of coordinating and
27 issuing unified, consolidated permits or approvals for each
28 project for flood protection work funded by general obligation
29 bonds or the General Fund.

30 8650.7. Nothing in this section affects the requirements
31 imposed by statute or regulation on any permitting or approving
32 agency.

33 ~~SECTION 1. Section 8612 is added to the Water Code, to~~
34 ~~read:~~

35 ~~8612. On or before January 1, 2008, the board shall prepare a~~
36 ~~master environmental impact report in accordance with the~~
37 ~~California Environmental Quality Act (Division 13 (commencing~~
38 ~~with Section 21000) of the Public Resources Code), in~~
39 ~~connection with routine operation or maintenance activities, and~~
40 ~~rehabilitation and repair activities, undertaken by the board or~~

- 1 ~~local agencies on behalf of the Sacramento River Flood Control~~
- 2 ~~Project.~~

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